

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

CHAPTER 198

S.P. 471 - L.D. 1435

AN ACT Concerning the Penalties for Negotiating a Worthless Instrument.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 17-A MRSA §708, sub-§3-A is enacted to read:

3-A. Amounts of face value of negotiable instruments involved in violations of this section committed pursuant to one scheme or course of conduct, whether the instruments were issued or negotiated to the same person or several persons, may be aggregated to charge a single violation of this section of appropriate class. Subject to the requirement that the conduct of the defense shall not be prejudiced by lack of fair notice or by surprise, the court may at any time order that a single aggregated count be considered as separate violations of this section. No aggregated count of violations of this section may be deemed duplicitous because of such an order and no election may be required. Prosecution may be brought in any venue in which one of the violations of this section which have been aggregated was committed.

Sec. 2. 17-A MRSA §708, sub-§4, as repealed and replaced by PL 1981, c. 317, §22, is repealed and the following enacted in its place:

4. Violation of this section is:

A. A Class B crime, if the face value of the negotiable instrument exceeds \$5,000;

B. A Class C crime, if:

(1) The face value of the negotiable instrument exceeds \$1,000 but does not exceed \$5,000; or

(2) The actor has 2 prior convictions for any combination of theft, a violation of section 702, 703 or this section, or attempts thereat. Determination of whether a conviction constitutes a prior conviction for purposes of this subsection shall be pursuant to section 362, subsection 3, paragraph C;

C. A Class D crime, if the face value of the negotiable instrument exceeds \$500 but does not exceed \$1,000; or

D. A Class E crime, if the face value of the negotiable instrument does not exceed \$500.

Effective September 23, 1983.

CHAPTER 199

H.P. 548 - L.D. 700

AN ACT to Amend the Definition of Hospital
in the Maine Health and Higher Educational
Facilities Authority Act.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §2053, sub-§4, as enacted by PL 1971, c. 303, §1, is repealed and the following enacted in its place:

4. Hospital. "Hospital" means any private, non-profit or charitable institution or organization which is either:

A. Engaged in the operation of, or formed for the purpose of operating, a hospital which is, or will be upon completion, licensed as a hospital under the laws of the State; or

B. Whose sole members are 2 or more institutions or organizations which are licensed as hospitals or nursing homes under the laws of the State.

Sec. 2. 22 MRSA §2053, sub-§6, ¶A, as enacted by PL 1979, c. 680, §6, is amended to read:

A. In the case of a participating hospital, the acquisition, construction, improvement, reconstruction or equipping of, or construction of an addition or additions to, any structure designed for use as a hospital, clinic, nursing home or other health care or nursing care facility, laboratory, laundry, nurses or interns residence or other multi-unit housing facility for staff, employees, patients or relatives of patients admitted for treatment in the hospital or nursing home, doctors office building, administration building, research facility, maintenance, storage